

JUL 03 2007

PTO/SB/21 (08-00)

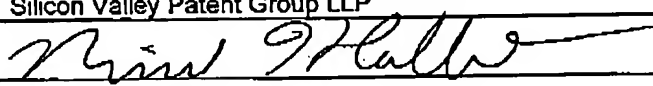
Approved for use through 09/30/07. OMB 0851-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

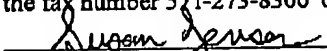
TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/748,829	
	Filing Date	December 29, 2003	
	First Named Inventor	Weidong Yang	
	Group Art Unit	2624	
	Examiner Name	Dennis Rosario	
Total Number Of Pages In This Submission	2	Attorney Docket No.	NAN066 US

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form (1 pg)	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declarations	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application (2 pgs)	Remarks The Commissioner is hereby authorized to charge any additional fees due to Deposit Account 50-2263.	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT			
Firm Name	Silicon Valley Patent Group LLP		
Signature			
Printed Name	Michael J. Halbert		
Date	July 3, 2007	Registration No.:	40633

CERTIFICATE OF TRANSMISSION/MALING

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office to the fax number 571-273-8300 on July 3, 2007.

 7/3/07
 Susan Jensen Date of Signature

Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Arlington, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Arlington, VA 22313-1450.

JUL 03 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Weidong Yang, Roger R. Lowe-Webb, and Silvio J. Rabello
Assignee: Nanometrics Incorporated
Title: Local Process Variation Correction for Overlay Measurement
Serial No.: 10/748,829 Filing Date: December 29, 2003
Examiner: Dennis Rosario Group Art Unit: 2624
Docket No.: NAN066 US Confirmation No.: 7169

Santa Clara, California
July 3, 2007

MS Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Dear Sir:

In Response to the Office Action dated June 8, 2007, Applicants elect without traverse to have the invention of Group III, Claims 23-32 and 33-36, examined. Please withdraw from consideration Claims 1-8 and 12-22, which are drawn to the invention of Groups I and II. Applicants reserve the right to seek examination of the inventions of Groups I and II in a divisional application.

It is believed that no fees are due. Nevertheless, if the Patent Office determines that an extension and/or other relief is required, Patent Owner petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with this filing of this document to Deposit Account No. 50-2263 referencing NAN066 US.

Should the Examiner have any questions concerning this response, the Examiner is invited to call the undersigned at (408) 378-7777.

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office to the fax number 571-273-8300 on the below date.

Susan Jensen 7/3/07
Susan Jensen Date of Signature

Respectfully submitted,

Michael J. Halbert
Michael J. Halbert
Attorney for Applicants
Reg. No. 40,633

SILICON VALLEY
PATENT GROUP LLP
18205 COW AVENUE
Suite 220
Sunnyvale, CA 95070
(408) 378-7777
FAX (408) 378-7770